

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

Docket No. 99CR125-34 (JAF)

vs.

REYNALDO LEANDRY-SANTIAGO,

MOTION REQUESTING MODIFICATION OF CONDITIONS

TO THE HONORABLE JOSE A. FUSTE, CHIEF
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, VICTOR M. CANINO U.S. PROBATION OFFICER of this Honorable Court, requesting a modification of conditions of Reynaldo Leandry-Santiago who was sentenced before the Court on January 25, 2000, after previously pleading guilty to Conspiracy to possess with intent to distribute more than five (5) kilograms of cocaine and more than one (1) kilogram of heroin, in violation 21 U.S.C. § 846. Mr. Leandry-Santiago was sentenced to ninety (90) months imprisonment, followed by four (4) years of supervised release. In addition to the standard conditions of supervision, the Court additionally ordered the following: defendant shall not commit any federal, state and/or local crimes, defendant shall not unlawfully possess a controlled substance, and refrain from possessing firearms, destructive devices, or other dangerous weapons; and mandatory drug testing and treatment if any samples detect any illegal substance.

On December 30, 2004, Leandry-Santiago was released from prison to the Middle District of Florida. His supervision term is expected to expire on December 29, 2008.

On July 12, 2007, a petition for modification of conditions was received from U.S. Probation Officer Julio Dominguez of the Middle District of Florida.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

Generally, Mr. Leandry-Santiago has complied with the conditions of release. Recently, U.S. Probation Officer Julio Dominguez, from the Middle District of Florida, received information that Mr. Leandry-Santiago travelled to Puerto Rico without permission. When confronted, Mr. Leandry-Santiago

admitted taking one trip to Puerto Rico without permission, but the information received suggest that more than one trip may have been taken.

Previously, on September 14, 2006, the Middle District of Florida requested a modification of Mr. Leandry-Santiago's conditions of supervised release to include a financial condition. On October 2, 2007, a motion was filed requesting said modification (SEE DOCKET 1486) and on October 3, 2007, the Court granted the petition.

Upon conducting the financial investigation, U.S. Probation Officer Julio Dominguez determined that Mr. Leandry-Santiago traveled at least on two other occasions in 2006, without permission. When confronted with the findings of the investigation, Mr. Leandry-Santiago admitted traveling without permission on more than one occasion.

As a result, on June 11, 2007, Mr. Leandry-Santiago signed a Probation Form 49 - Waiver of Hearing to Modify Conditions of Supervised Release (attached) agreeing to the modification of his conditions to require that a ninety (90) home detention with electronic monitoring be added among his conditions.

WHEREFORE, in view of the aforementioned, unless ruled otherwise, it is respectfully requested, that the Court grant the Probation Officer's petition by modifying the offender's conditions as requested.

In San Juan, Puerto Rico, this 8th day of August 2007.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
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CERTIFICATE OF SERVICE

I HEREBY certify that on August 3, 2007, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Rosa Emilia Rodriguez, U.S. Attorney and Joseph Laws of the United States Federal Public defenders Office.

In San Juan, Puerto Rico, this 8th day August of 2007.

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